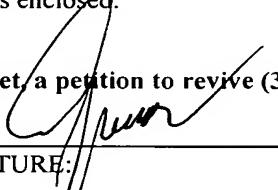


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|--|--|---|--|---|
| FORM PTO-1390<br>(REV. 11-2000)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE         |  | ATTORNEY'S DOCKET NUMBER<br>TLO-2-PCT/Minori                        |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  |   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/540600</b> |
| INTERNATIONAL APPLICATION NO.<br><input checked="" type="checkbox"/> PCT/JP2003/16641  | INTERNATIONAL FILING DATE<br>December 24, 2003 | PRIORITY DATE CLAIMED<br>December 27, 2002 & September 29, 2003 |  |   |
| TITLE OF INVENTION MULTILAYER OBSERVATION OPTICAL MICROSCOPE AND MULTILAYER OBSERVATION UNIT   |  |   |  |   |
| APPLICANT(S) FOR DO/EO/US Tetsuro TAKAMATSU, Katsumasa FUJITA  |  |   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |   |
| <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |  |   |
| <b>Items 11 to 20 below concern document(s) or information included:</b>   |  |   |  |   |
| <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included and fee.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: <b>Receipt Acknowledgement Postcard</b></li> </ol>  |  |   |  |   |

| U.S. APPLICATION NO. (if known, see 37 CFR 1.8)   |              | INTERNATIONAL APPLICATION NO.           | ATTORNEY'S DOCKET NUMBER |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
|---|--------------|---|--------------------------|-------------------|---------------------------------|--------------|----------------------------------|--|---------------------------------------|---------------|---|---|-----------------|---|--------------------|----------------|------------------------------|------------|-----------------|---|--|---|------------|--------|--------------------------------------|--|--|--|-------------------|
| <b>10/540600</b>  |              | PCT/JP2003/16641                        | TLO-2-PCT/Minori         |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| 21. <input checked="" type="checkbox"/> THE FOLLOWING BASIC NATIONAL FEES ARE SUBMITTED:  |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <table> <tr> <td>■ Basic National Stage Fee.....</td> <td>\$300.00</td> </tr> <tr> <td>■ National Stage Search Fee.....</td> <td>\$500.00</td> </tr> <tr> <td>■ National Stage Examination Fee.....</td> <td>\$200.00</td> </tr> <tr> <td colspan="2">□ National Stage Application Size Fee -<br/>for each additional 50 sheets that exceeds 100 sheets.....\$250.00</td> </tr> </table>  |              |   |                          |                   | ■ Basic National Stage Fee..... | \$300.00     | ■ National Stage Search Fee..... | \$500.00   | ■ National Stage Examination Fee..... | \$200.00      | □ National Stage Application Size Fee -<br>for each additional 50 sheets that exceeds 100 sheets.....\$250.00 |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| ■ Basic National Stage Fee.....   | \$300.00     |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| ■ National Stage Search Fee.....  | \$500.00     |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| ■ National Stage Examination Fee.....   | \$200.00     |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| □ National Stage Application Size Fee -<br>for each additional 50 sheets that exceeds 100 sheets.....\$250.00   |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> <b>\$1,000.00</b>   |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). <b>\$0.00</b>  |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>7 - 20 =</td> <td>0</td> <td>x \$50.00</td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td>2 3 =</td> <td>0</td> <td>x \$200.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$1,000.00</b></td> </tr> </tbody> </table>  |              |   |                          |                   | CLAIMS                          | NUMBER FILED | NUMBER EXTRA                     | RATE   | \$                                    | Total claims  | 7 - 20 =  | 0 | x \$50.00       | \$0.00  | Independent claims | 2 3 =          | 0                            | x \$200.00 | \$0.00          | MULTIPLE DEPENDENT CLAIM(S) (if applicable) |  |   | + \$360.00 | \$0.00 | <b>TOTAL OF ABOVE CALCULATIONS =</b> |  |  |  | <b>\$1,000.00</b> |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                            | RATE                     | \$                |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| Total claims  | 7 - 20 =     | 0                                       | x \$50.00                | \$0.00            |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| Independent claims  | 2 3 =        | 0                                       | x \$200.00               | \$0.00            |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00               | \$0.00            |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |                          | <b>\$1,000.00</b> |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. <b>\$500.00</b>   |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <table border="1"> <thead> <tr> <th colspan="2">SUBTOTAL =</th> <th>\$500.00</th> </tr> </thead> <tbody> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="2"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$500.00</b></td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td><b>\$40.00</b></td> </tr> <tr> <td colspan="2"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$540.00</b></td> </tr> <tr> <td colspan="2"></td> <td><b>Amount to be refunded:</b> <b>\$</b></td> </tr> <tr> <td colspan="2"></td> <td><b>charged:</b> <b>\$</b></td> </tr> </tbody> </table>             |              |   |                          |                   | SUBTOTAL =                      |              | \$500.00                         | Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). |                                       | <b>\$0.00</b> | <b>TOTAL NATIONAL FEE =</b>   |   | <b>\$500.00</b> | Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + |                    | <b>\$40.00</b> | <b>TOTAL FEES ENCLOSED =</b> |            | <b>\$540.00</b> |   |  | <b>Amount to be refunded:</b> <b>\$</b> |            |        | <b>charged:</b> <b>\$</b>            |  |  |  |                   |
| SUBTOTAL =  |              | \$500.00                                |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
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| <b>TOTAL NATIONAL FEE =</b>   |              | <b>\$500.00</b>                         |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
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| <b>TOTAL FEES ENCLOSED =</b>  |              | <b>\$540.00</b>                         |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
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|   |              | <b>charged:</b> <b>\$</b>               |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$540.00</u> to cover the above fees and Assignment recordal is enclosed.</p> <p>b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-1145</u>. A duplicate copy of this sheet is enclosed.</p>   |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p><b>SEND ALL CORRESPONDENCE TO:</b></p> <p><b>KIRSCHSTEIN, OTTINGER, ISRAEL &amp; SCHIFFMILLER, P.C.</b><br/> <b>489 Fifth Avenue</b><br/> <b>New York, New York 10017</b><br/> <b>(212) 697-3750</b></p> <p><b>SIGNATURE:</b> </p> <p><b>Alan Israel</b><br/> <b>NAME</b><br/> <b>27,564</b><br/> <b>REGISTRATION NUMBER</b></p> <p><i>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. EV 667 160 495 US in an envelope addressed to: Box: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on: June 24, 2005</i></p> <p><i>(date) <i>Lori G. Within</i></i></p> |              |   |                          |                   |                                 |              |                                  |  |                                       |               |   |   |                 |   |                    |                |                              |            |                 |   |  |   |            |        |                                      |  |  |  |                   |